

REMARKS

Please find attachment a marked-up version of the changes made to Claims 1, 6, 14, 27, 28 and 29 by this response. Claims 1-36 are pending.

Rejection Under 35 U.S.C. § 112, Second Paragraph

The Examiner rejects Claims 6, 8, 14, and 28 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicants regard as the invention. [Office Action ¶ 2.]

With respect to **Claims 6 and 14**, this response corrects typographical errors highlighted by the Examiner.

The Examiner rejects **Claim 8** as being “indefinite”, objecting to the language “standard interface.” The term “standard interface” is recognizable to someone of ordinary skill in the art as meaning any number of the standard interfaces for wired links between hand-held devices. Applicants respectfully submit that Claim 8 is unambiguous and supported by the specification. (Specification page 3, lines 13-18; page 10, lines 30-34.)

The Examiner rejected **Claim 28** as being “not understood.” This response amends Claim 28 to more particularly point out and distinctly claim the Applicants’ invention. As amended, Claim 28 claims a “location-relevant service system as in Claim 27, wherein said business transaction includes an authentication step to authenticate identity of said user based on said position of said first mobile unit.” Support for amended Claim 28 may be found in the Specification, for example, on page 4, lines 21-24, and on page 9, lines 33-36. Applicants submit that amended Claim 28 is clear and understandable. Therefore, reconsideration and allowance of amended Claim 28 are requested.

Claim 29 was not specifically rejected or objected to by the Examiner. Since the Examiner has not otherwise rejected or objected to Claims 28 and 29, and since amended Claim 28 has shown to be clear and understandable, Applicant respectfully requests reconsideration and allowance of amended Claims 28 and 29.

The second Claim 35 is now renumbered to **Claim 36**. [Office Action ¶ 3.]

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Rejections Under 35 U.S.C. § 102(A): Schmier

The Examiner rejected Claims 1, 2, 9-13, 16-23, 25, 30, 32, 33, 35 and 36 under 35 U.S.C. § 102(a) as being anticipated by U.S. Patent 6,006,159 ("Schmier"). With regard to Schmier, the Examiner states:

Schmier et al disclose the claimed location relevant service system as shown in Figure 1 including (1) a first mobile unit 10 having a GPS receiver 14 and a microprocessing computer 16 (2) which is wirelessly linked to a central processing computer 22 which is radio linked to a second mobile unit 31. The central processing computer 22 is coupled to a data network such as the internet to store and retrieve data. The second mobile unit is capable of receiving information relating to the position of the first mobile unit including routes, location, velocity/speed, arrival time and operational characteristics. [Office Action ¶ 5.]

Schmier does not disclose all of the elements of amended Claim 1. For example, the location-relevant service system of amended Claim 1 requires, in part, the element "said location-relevant service enabling a business transaction to be carried out by a user." Schmier, however, does not disclose or suggest a business transaction as required by amended Claim 1.

Additionally, Schmier does not disclose all of the elements of claims that depend upon amended Claim 1. For example, Claim 23 is believed allowable over Schmier, since Schmier neither discloses nor suggests the element of "driving directions" recited in Claim 23.

Schmier does not teach or suggests all of the elements of amended Claim 1. Therefore, reconsideration and allowance of amended Claim 1 and dependent Claims 2, 9-13, 16-23, 25, 30, 32, 33, 35 and 36 are requested.

Rejections Under 35 U.S.C. § 102(E): Girerd

The Examiner rejected Claims 1, 2, 9-13, 17-23, 25, 30, 32, 35 and 36 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent 6,131,067 ("Girerd"). With regard to Girerd, the Examiner states:

Girerd et al disclose the claimed location relevant service system wherein a client computer 1 is coupled via a data network to location information relevant to a mobile unit 20 having a GPS receiver which is wirelessly coupled to the data network via a cellular link. [Office Action ¶ 6.]

Girerd does not disclose all of the elements of amended Claim 1. For example, the location-relevant service system of amended Claim 1 requires "a second mobile unit." Girerd, on the other hand, simply discloses a "client computer 1" "connected to the Internet 5 via an Internet Service Provider 2" "over telephone or other communications (e.g., ISDN) links." (Girerd col. 3, lines 31-36.) Girerd does not disclose a second mobile unit.

Additionally, the business transaction required by amended Claim 1 as discussed above, is not disclosed or suggested in Girerd.

Girerd does not teach or suggests all of the elements of amended Claim 1. Therefore, reconsideration and allowance of amended Claim 1 and dependent Claims 2, 9-13, 17-23, 25, 30, 32, 35 and 36 are requested.

Rejections Under 35 U.S.C. § 102(E): Elliot

The Examiner rejected Claims 1, 2, 5, 9-14, 16-19, 22, 25, 26, 30, 32, 35 and 36 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent 6,243,039 ("Elliot"). With regard to Elliot, the Examiner states:

Elliot discloses the claimed including a mobile unit being monitored 12 (Fig. 2), a central receiver/transmitter 16, a central control system 20 and a subscriber user (parent) monitoring the position of the mobile unit using a computer. Positioning system is either satellite or terrestrial based. The mobile unit comprises a GPS receiver and a paging/cellular communications device. The subscriber user (parent) includes a display (Fig. 4) which receives location relevant information regarding the unit 12 upon proper authentication. [Office Action ¶ 7.]

Elliot does not disclose all of the elements of amended Claim 1. For example, the business transaction required by amended Claim 1 as discussed above, is not disclosed or suggested in Elliot.

Elliot does not teach or suggests all of the elements of amended Claim 1. Therefore, reconsideration and allowance of amended Claim 1 and dependent Claims 2, 5, 9-14, 16-19, 22, 25, 26, 30, 32, 35 and 36 are requested.

Rejections Under 35 U.S.C. § 102(A): Fan

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The Examiner rejected Claims 1, 2, 9-13, 17-23, 25, 30, and 32-36 under 35 U.S.C. § 102(a) as being anticipated by U.S. Patent 5,959,577 ("Fan"). With regard to Fan, the Examiner states:

Fan et al disclose the first claimed mobile unit (1,3), a data network (27) and a monitoring unit (27) which may be fixed or portable. The monitor unit is coupled to the data network to monitor the first mobile unit wherein the first mobile unit includes a GPS receiver for determining location data. The first mobile unit has a display which displays graphically an elapsed time since its last transmission of positional information. Upon authorization, the second mobile unit receives location relevant information regarding the first mobile unit, including position and speed.
[Office Action ¶ 8.]

Fan does not disclose all of the elements of amended Claim 1. For example, the business transaction required by amended Claim 1 as discussed above, is not disclosed or suggested in Fan.

Additionally, Claims 10 and 11, are each believed allowable over Fan, since Fan neither discloses nor suggests a system where a "location-relevant service is pushed to said second mobile unit" as recited in each of Claims 10 and 11. Fan addresses the situation of a monitor unit sending a request but not the situation of a location-relevant service being pushed to a second mobile unit.

Fan does not teach or suggests all of the elements of amended Claim 1. Therefore, reconsideration and allowance of amended Claim 1 and dependent Claims 2, 9-13, 17-23, 25, 30, and 32-36 are requested.

Rejections Under 35 U.S.C. § 102(E): Berstis

The Examiner rejected Claims 1, 3, 6-13, 18-23, 25, 31, 33, and 35-36 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent 6,182,010 ("Berstis"). With regard to Berstis, the Examiner states:

Berstis disclose, as shown in Figure 3, a PDA (second mobile unit) coupled to a vehicle unit (first mobile unit) comprising wireless transceiver 58, GPS receiver 45 and docking cradle 51, wherein the wireless transceiver is coupled to a data network 40 for accessing location relevant services.
[Office Action ¶ 9.]

Berstis does not disclose all of the elements of amended Claim 1. The location-relevant service system of amended Claim 1 requires, in part, “a first mobile unit” and “a second mobile unit.” Berstis, however, is a single in-vehicle embodiment. Berstis discloses “a single navigation system wherein a pervasive computing device 10 is mounted on a cradle 51.” (Berstis col. 5, lines 3-7.) The cradle allows for “good visibility” of the graphical display, provides an “electrical connection,” and “allows for connection to the GPS module 45.” (Berstis col. 5, lines 7-26.) Clearly, **Berstis does not disclose two mobile units but rather a single unit.**

Additionally, Berstis does not disclose or suggest “a location-relevant service server accessible over a data network” as required by Claim 1. Berstis does not disclose a server accessible over a network.

As discussed above, the business transaction required by amended Claim 1, is not disclosed or suggested in Berstis.

Berstis also fails to suggest or disclose all of the elements of the Claims that depend upon Claim 1. For example, with regard to Claim 31, Berstis does not disclose or suggest a “second mobile unit obtains [the] position of [a] first mobile unit **directly from** said first mobile unit.”

Berstis does not teach or suggests all of the elements of amended Claim 1. Therefore, reconsideration and allowance of amended Claim 1 and dependent Claims 3, 6-13, 18-23, 25, 31, 33, and 35-36 are requested.

Rejection Under 35 U.S.C. § 103(A): Beckert - Fan - Schmier

Though the Examiner references to “Bruckert et al” in this Office Action, Attorney for Assignee assumes Examiner’s intent was to reference U.S. Patent 5,794,164 by Beckert et al., as Examiner states on the “Notice of References Cited” sheet.

The Examiner rejected Claims 1-27 and 30-36 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 5,794,164 (“Beckert”) in view of U.S. Patent 5,959,577 (“Fan”), or U.S. Patent 6,006,159 (“Schmier”). As per these claims, the Examiner states:

Bruckert et al [sic] teach, as exemplified in Figure 3, the conventionality in vehicle navigation systems of including a faceplate module

60, which reads on the second mobile unit and which includes a wireless transceiver for conventional telecommunications as well as a vehicle computer 64 which reads on the first mobile unit and includes a navigation system. The faceplate module and computer module are capable of independent operation when not coupled the support module 62. Bruckert et al [sic] teach the use of stored, downloadable data to provide map/navigation functions but fails to specify the use of the Internet as a source of navigational information. It is well known as taught by Fan et al or Schmier et al to utilize a wireless connection to a data network such as an Internet server to access a wide variety of information useful for navigational processing, such as map data or traffic/weather conditions as well as to provide positional information to the data network to provide third party monitoring of position/operational characteristics. Thus, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Bruckert et al [sic] by utilizing the faceplate cellphone to access a data network such as an Internet server to obtain updated map and traffic information as well as to provide location tracking to third parties via the Internet server in view of the teachings of Fan et al or Schmier et al. The specifics of the location relevant service are deemed to be mere data retrieved from a database and thus obvious variations of information strings which would have been within the scope of the skilled artisan. The use of location sensors based on terrestrial triangulation would have been an obvious modification due to the conventionality in the act of augmented GPS systems which utilize cellular signals or other terrestrial transmitters including pseudolites in urban areas surrounded by tall buildings where the GPS satellites are blocked. The use of a phone call to buy tickets to an event via Ticketron comprises a business transaction. Since Bruckert et al [sic] teach the use of a conventional cellphone for communications purposes, it is obviously within the scope of Bruckert et al [sic] to use a Cellphone communication link to transact business.
[Office Action ¶ 11.]

Beckert fails to disclose “a first mobile unit” and “a second mobile unit” as required by amended Claim 1. Beckert’s “faceplate module 60” and “vehicle computer 64” act as a single unit, therefore, **Beckert does not disclose two mobile units**. Alternatively, if one considered Becker’s faceplate module 60 and vehicle computer 64 two mobile units, Beckert fails to disclose “a first mobile unit coupled to [a] data network over a first wireless link” as required by amended Claim 1. As the Examiner has highlighted, Beckert discloses a “faceplate module [that] can be detached from the base unit and operate **independently** as a portable radio.” (Beckert col. 2, lines 42-44.) Essentially, a cellular telephone (or an RF transceiver) can optionally be attached to the faceplate, however, **Beckert does not disclose the cellular telephone communication functionality being integrated with the navigational system**. (Beckert col. 6, lines 63-65.) Attorney for Assignee respectfully

invites Examiner to show where Beckert discloses "a first mobile unit coupled to [a] data network over a first wireless link" as is required by amended Claim 1.

The combination of Becker, Fan and Schmier also fails to disclose or suggest all of the limitations of each dependent claim. For example, with regard to Claim 4, which requires that "A location-relevant service system as in Claim 1, wherein said first wireless link is provided by said second mobile unit," neither Becker, Fan nor Schmier disclose or suggest "a first mobile unit coupled to [a] data network" "wherein [the] wireless link is provided by [a] second mobile unit."

Additionally, the cited references fail to disclosed or suggested the business transaction required by amended Claim 1 as discussed above.

Since neither Fan nor Schmier teaches or discloses the deficiencies of Beckert, reconsideration and allowance of amended Claim 1 are requested. As such, Claims 2-27 and 30-36, which depend on independent Claim 1, are also allowable.

CONCLUSION

If the Examiner maintains that the references, individually or in combination, anticipate or suggest all of the elements of amended Claim 1, the Examiner is respectfully requested to provide a more clear statement where within the references each of the elements of amend Claim 1 may be found. (37 C.F.R. § 1.104; M.P.E.P. § 707.07.)

After considering this response, the Examiner is respectfully requested to find this application in condition for allowance. If there are any questions regarding this application, please call the undersigned at (408) 453-9200.

Express Mail Label No:

EL 901 565 048 US

January 18, 2002

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ATTACHMENT A

The following provides a marked up version of the amended specification containing the newly introduced changes. Additions are underlined and deletions are [bracketed].

Please replace the paragraph starting on page 4, line 19 and ending on page 4, line 32, with the following rewritten paragraph:

-- In one application, the two mobile units can be used to authenticate a user in a business transaction. For example, the user conducting business on a cellular telephone can be authenticated by providing the location-relevant service server the position of the first mobile unit. (For example, the user is conducting this transaction from his vehicle, where the first mobile unit is installed). The location-relevant service server can independently verify [verified] this position by querying the first mobile unit. In such an application, if the first mobile unit is provided a display, the user can read the position off the display and key in the position information using the keypad on the second mobile unit (e.g., a cellular telephone). --

Please replace the paragraph starting on page 10, line 7 and ending on page 11, line 2, with the following rewritten paragraph:

-- In system 100, mobile unit 101 and mobile device 110 communicate via separate wireless links 113 and 119. However, the operations described above and the attendant benefits can be achieved similarly using systems 400 and 500 of Figures 4 and 5, respectively, in alternative embodiments of the present invention. To simplify the following discussion and to avoid repetition, like elements in Figures 1, 4 and 5 are provided like reference numerals. In each of systems 400 and 500, rather than mobile unit [device] 101 sending positional data to location-relevant service server 106 via an independent communication link, the position information data of mobile unit [device] 101 and communication between mobile device 110 and location-relevant service server 106 share a common wireless link and an internet gateway. In system 400, mobile unit 101 and mobile device 110 communicate with each other over wireless link 402, and communicate with location-relevant service server 106 through mobile device [unit] 110. Alternatively, as shown in Figure 5, mobile unit 101 and mobile device 110 communicate over a

wired link 501, and communicate with location-relevant service server 106 through mobile unit 101's wireless link 113. Wired link 501 can be implemented, for example, by a docking station through a standard interface. For example, if mobile unit 101 is a lap top or a personal digital assistant, such an interface can be provided by a 1394 serial bus interface. As in Figure 1, in systems 400 and 500, location-relevant service server 107 can be accessed from non-mobile or desktop client 112. --

Please replace the Abstract starting on page 17, line 11 and ending on page 17, line 21, with the following rewritten paragraph:

-- A location-relevant service system provides location-relevant information to, or performs location-relevant service for, a first mobile unit based on the location of a second mobile unit. In one instance, the first mobile unit is fixed on a vehicle, while the second mobile unit can be provided as a cellular phone. In another [intance] instance, the first mobile unit is provided with a display panel, so that authentication can be achieved through providing the displayed location information to a location-relevant service server using the second mobile unit. --

ATTACHMENT B

The following provides a marked up version of the amended claims containing the newly introduced changes. Additions are underlined and deletions are [bracketed]. This response amends Claims 1, 6, 14, 27, 28 and 29.

1. (Amended) A location-relevant service system, comprising:

a location-relevant service server accessible over a data network;

a first mobile unit coupled to said data network over a first wireless link and providing a position of said first mobile unit over said wireless link to said location-relevant service server; and

a second mobile unit coupled to said data network, said second mobile unit receiving from said location-relevant service server location-relevant service based on said position of said first mobile unit, said location-relevant service enabling a business transaction to be carried out by a user. *get to a store*

6. (Amended) A location-relevant service system as in Claim 1, wherein said first mobile unit and said second mobile unit communicate with each other over a wired link.

14. (Amended) A location-relevant service system as in Claim 13, wherein said non-mobile computer requests [request] said location-relevant service to be provided to said second mobile unit.

27. (Amended) A location-relevant service system as in Claim 1, wherein [a] said business transaction is carried out by [a] said user using said second mobile unit over said first wireless link.

28. (Amended) A location-relevant service system as in Claim 27, wherein said business transaction includes an authentication step [using said position of said first mobile unit] to authenticate identity of said user based on said position of said first mobile unit.

29. (Amended) A location-relevant service system as in Claim [28] 27, wherein said business transaction includes an authentication step of said user at said second mobile unit.

36. [35.] A location-relevant service system as in Claim 1, wherein said location-relevant service server incorporates said direction of travel in providing a driving direction service.